

REMARKS

Claims 1-36 are all the claims pending in the application.

This amendment is being filed after receipt of the Advisory Action mailed May 17, 2007, which indicates that the request for reconsideration has been considered but does not place the Application in condition for allowance because Applicant argued in its May 9, 2007 response, where claims 1-36 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Mercer (US Patent No. 7,043, 477 B2), “that the directories [in Mercer] are **not** automatically created”. Further, the Examiner states that this feature is not claimed in the claim language. Although Applicant disagrees with the Examiner’s argument, Applicant has amended independent claims 1, 2, 15, and 16 in order to expedite prosecution. Such amendments are not made in view of the prior art and are deemed to not narrow the scope of the claims. Thus, by this Amendment, independent claims 1, 2, 15, and 16 are amended to recite the feature of “**automatically** creating file directories based on metadata of the media files”. Applicant submits that Mercer fails to disclose the feature of “**automatically** creating file directories based on metadata of the media files”, as recited in independent claims 1, 2, 15, and 16.

Therefore, independent claims 1, 2, 15, and 16 are believed to be patentable over Mercer at least for the above reason.

Further, claims 3-14 and 17-36 are believed to be patentable based on their dependency.

AMENDMENT UNDER 37 C.F.R. § 1.116
U.S. Application No.: 10/764,510

Attorney Docket No.: Q78873

In view of the foregoing, and arguments advanced in previous responses, Applicant respectfully submits that claims 1-36 are patentable over the prior art of record and requests that the rejection of these claims be withdrawn.

Hence, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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